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JEC
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FORM FOR USE IN APPLICATIONS

FOR HABEAS CORPUS UNDER 28 U.S.C. § 2241

OCT 1 2008

CLERK
J. S. Brannon

Anthony Gonzalez
NAME

12405-035
PRISON NUMBER

USP ATLANTA GEORGIA
PLACE OF CONFINEMENT

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA
CASE NUMBER _____ (to be supplied by Clerk of Court)

Anthony M. Gonzalez, PETITIONER

V.

Loren Grayer (warden), RESPONDENT

PETITION FOR WRIT OF HABEAS CORPUS UNDER SECTION 2241 BY A PERSON
IN FEDERAL CUSTODY

PETITION

1. Name and location of court which entered the judgement of conviction under which I am presently confined: Western District of Louisiana, Shreveport Division.
2. Date of judgement of conviction: July 27, 2005.
3. Length of sentence: 60 Months. Sentencing Judge S. Maurice Hicks, Jr.
4. Nature of offense for which I was convicted: Possession of stolen Property under 18 U.S.C. 2135.

5.

A. Ground One: I am petitioning on the grounds that I have to By-pass the grievance process here at the F.B.O.P. because of the extreme nature of this complaint and that my health would be seriously in jeopardy and risk by the delay.

SUPPORTING FACTS (without citing case law)

I am a cardiac patient with a history of Severe Coronary disease as shown in attachment 'A', noted as "Chronological record of medical care". and Also, I have been told by the Cardiologist at Atlanta Medical Center that "I need heart bypass surgery done As Soon As Possible" I am currently about 7 months from my release date, so I wanted to wait until I returned home to have this procedure

done. So ever since my return from this hospital I have faced a hostile environment from the medical staff here at USP ATLANTA. For the last 2 weeks (approximately) both elevators that serve the medical offices here (and which was built in 1992) have not been operable at all. the medical offices are only on the 3rd floor as to where we go for medical appointment as well as "sick call" and "other emergencies". The only way for the physically and wheel chair disabled to get up their to the offices. On Sunday September 28, 2008 I was having 'severe chestpain' and was brought over in my wheelchair to health services by an Officer V. Moore and was told by the Physicians Assistant Mr. Castill that "he would not come down and evaluate me, and that the officer would have to carry me upstairs" Now this would violate all protocols regarding people with serious heart problems having chest pains, and the fact that 'you do not lift a person having chest pains straight up' for the proven reasoning on the risk of massive heart failure. this facility has many (7) people in wheel chairs and continually are having problems reaching services that are "required by federal statute under the Americans with Disabilities Act. I ask this court to order me transfered to an appropriate facility that can provide me with the competent medical care neccessary for my medical condition(s).

Also to note that the above named officer (whom I have no complaint against) after being told to "carry me upstairs" by Mr. Cast I then called the on duty lieutenant named Lt. Castro and informed him that he was told the above statement by P.A. Castill, The Lieutenant then told the officer to "bring me to his office" (I also have no complaint against Lt Castro). At the lieutenants office I told the Lieutenant Castro that I would rather take more nitro than risk heart failure by being carried upstairs by the officer. I had to take approximately 6 nitroglycerines before I experienced full relief from the chest pain. which is also against protocol. I feel my health is in serious jeopardy by this health services department, and that this facility is not an appropriate care level facility for my condition and that this is only a care level 2 facility, unequiped and apparently not well trained for people with disabilities. Also this facility has NO type of trained medical personell between the hours of 9:30pm and 6:30am to treat emergencies that I as a cardiac patient ~~blood~~ encounter during those hours. I have also been told "this is atlanta", and that "we" "have a place for people who file against us" .

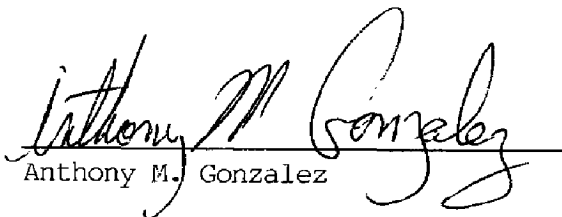
Wherefore Petitioner-Prays that this court GRANT this motion and ORDER the F.B.O.P. Transfer Petitioner to an institution appropriate for his medical condition(s) .

I declare under The Penalty of Perjury Under 28 U.S.C. § 1746

that the foregoing is true to the best of my knowlege, and is true and correct.

Executed on October 1, 2008

Anthony Gonzalez #12405-035
Pc Box 15060
Atlanta, GA 30315-0160


Anthony M. Gonzalez